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Attorney's Docket No. 018360/234317

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re: Florence
Appl No.: 09/851,480
Filed: May 9, 2001
For: METHOD AND SYSTEM OF DELIVERING ITEMS USING OVERLAPPING
DELIVERY WINDOWS

Confirmation No.: 3771
Group Art Unit: 3623
Examiner: Romain Jeanty

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated May 9, 2005, in which the Examiner has required an election of a single disclosed species for prosecution on the merits, from each of the following groups of distinct species: (1) Claims 2-8; (2) Claims 10-12 and 17-19; (3) Claims 13-15 and 20-22; (4) Claims 25-29; and (5) Claims 32-34. The Examiner has further required restriction between Invention I, namely Claims 1-30 and 40, and Invention II, namely Claims 31-39.

With regard to the election of either Invention I or II, the Applicant hereby elects without traverse to prosecute the claims of Invention I (Claims 1-30 and 40) and expressly reserves the right to file a divisional application or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

With regard to the election of a single disclosed species for prosecution, the Applicant hereby elects the following species for prosecution on the merits:

Group (1): Applicant elects the species of Claim 4; Claims 1, 2 and 4 are all readable on this species.

Group (2): Applicant elects the species of Claim 11; Claims 9, 10 and 11 are all readable on this species.

Group (3): Applicant elects the species of Claim 21; Claims 16, 20 and 21 are all readable on this species.

Group (4): Applicant elects the species of Claim 29; Claims 24 and 29 are both readable on this species.

Appl No.: 09/851,480

Amdt. dated 06/09/2005

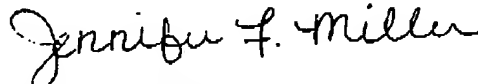
Reply to Restriction Requirement of May 9, 2005

Given the election of Invention I, and the consequent withdrawal of Claims 31-39, corresponding with Invention II, no election with regard to Group (5) (Claims 32-34) need be made.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

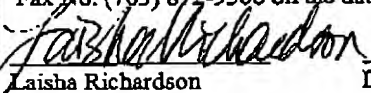


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